

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code to amend the Rowland Heights Community Standards District.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.44.132 is hereby amended to read as follows:

22.44.132 Rowland Heights Community Standards District.

A. Intent and Purpose. The Rowland Heights Community Standards District is established to implement the Rowland Heights Community Plan, adopted by the Board of Supervisors on September 1, 1981, and to address the needs of residential property owners who are unable to comply with the restrictions contained in Section 22.20.025 in the keeping or parking of recreational vehicles on their lots, due to the prevailing size, shape, topography, and development of residential lots in the area. The Rowland Heights Community Standards District establishes development standards (1) to ensure that new development retains the residential character of the area, that the appearance of signs in commercial areas is appropriate for the community, and that increased landscaping requirements, ~~and building setbacks, and commercial development~~ standards and review processes are implemented to protect the health, safety, and welfare of the community; and (2) to allow for the keeping and parking of recreational vehicles on residentially and agriculturally zoned lots in a manner that protects the health, safety, and general welfare of the entire community.

B. Description of District. The boundaries of the District are coterminous with the boundaries of the Rowland Heights Community Plan. The District boundary extends from the City of Industry on the north to Orange County on the south; the City of

Diamond Bar forms the eastern boundary, while the western boundaries consist of Hacienda Heights and the City of La Habra Heights. The Pomona Freeway, Brea Canyon Road, Fullerton Road south of Pathfinder Road, Colima Road west of Stoner Creek Road, and the Schabarum Regional Park conform to the approximate boundaries of the District. The map of the District follows this section.

C. Community-Wide Development Standards. All properties shall be neatly maintained, and yard areas that are visible from the street shall be free of debris, trash, lumber, overgrown or dead vegetation, broken or discarded furniture, and household equipment such as refrigerators, stoves, and freezers.

D. Zone-Specific Development Standards.

1. Zones A-1, A-2, R-1, and R-A.

a. Front yard landscaping. A minimum of 50 percent of the required front yard area shall contain landscaping consisting of grass, shrubs, trees, and other similar plant materials. Paved or all-gravel surfaces may not be included as part of the required landscaped area.

b. Trash containers and dumpsters stored in the front or side yard areas shall be screened from view from streets, walkways, and adjacent residences.

2. Zone C-1.

a. Signs. Except as herein modified, all new signs shall conform to Part 10 of Chapter 22.52.

a. i. Roof signs shall be prohibited.

b. ii. Freestanding Business Signs.

i. (A) Freestanding business signs shall be permitted on any lot or parcel of land for each street frontage having a continuous distance of 100 feet or more.

ii. (B) The maximum height of a freestanding business sign shall be 20 feet.

iii. (C) The total sign area of a freestanding business sign shall not exceed 40 square feet per sign face plus one-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

iv. (D) Freestanding business signs shall not be located in nor extend above any public right-of-way, including sidewalk areas.

e. iii. Business signs.

i. (A) Wall business signs shall be limited to one square foot for each linear foot of building frontage.

ii. (B) To facilitate the identification or location of the premises in cases of emergency and for other public health, safety, and welfare purposes, business signs readable from a public right-of-way or parking area open to the general public shall include the following information on the sign:

Street address and name of the business, using Roman alphabet characters and Arabic numerals, in digits which are readable from the right-of-way or parking area.

d. iv. Awning signs. The total area of awning signs shall not exceed 25 percent of the exterior surface of each awning for the ground floor and 15 percent of the exterior surface of each awning for the second floor level.

e. v. Sign programs for commercial centers consisting of three or more businesses.

i. (A) The owner or operator of a commercial center ~~consisting of three or more businesses~~ shall submit a sign program to the director to coordinate business signage within the commercial center. No new business sign shall be installed until the required sign program has been approved by the director.

ii. (B) The sign program shall illustrate a similarity or harmonious combination of locations, styles, and other standards including, but not limited to ranges of: sign sizes; sign colors; font styles; and sign materials for potential business signs within a commercial center.

iii. (C) All new signs shall conform to the specifications set forth in the approved sign program.

iv. ~~Existing signs that are inconsistent with the approved sign program shall be replaced within five years of the approval of the sign program.~~ (D) All commercial centers shall submit and obtain approval from the Director of Planning for a sign program according to the above specifications and consistent with the provisions in subsection D.2 by January 1, 2006.

b. Parking Lot Landscaping. Except for rooftop or interior parking, an existing or proposed parking lot with 20 or more parking spaces shall have a minimum of five percent of the gross area of the parking lot landscaped. Landscaping shall be distributed throughout the parking lot to maximize the aesthetic effect and compatibility with adjoining uses. Where appropriate, all areas of the parking lot not

used for vehicle parking or maneuvering or for pedestrian movement or activity shall be landscaped.

c. Setbacks. For properties located along major or secondary highways, all new buildings and additions shall have a minimum setback of 20 feet from the front property line. For properties located along all other streets, all new buildings and additions shall have a minimum setback of 15 feet from the front property line. The 10 feet of the setback area closest to the street shall be landscaped in a manner described in subsection D.2.d below.

d. Landscaping. A minimum of 15 percent of the net lot area shall be landscaped for properties less than or equal to 30,000 square feet in area and a minimum of 10 percent of the net lot area shall be landscaped for properties greater than 30,000 square feet in area. The landscaping shall consist of 24-inch and 36-inch box trees, 5 and 15 gallon-size shrubs, and ground cover. The landscaping shall occur around the entire base of the building between the parking area and the structure. Landscaping shall be used to screen trash enclosures, parking areas, storage areas, loading areas, or public utilities from public view, to the extent that such landscape does not prevent access thereto. A landscape buffer with a minimum width of three feet and a height of three feet shall be provided between parking areas and public rights-of-way. The landscaping shall be maintained with regular pruning, weeding, fertilizing, litter removal, and replacement of plants when necessary. Incidental walkways, if needed, may be developed in the landscaped area.

e. Buffers. A minimum setback of three feet from any property line adjoining a residential zone is required for new structures or additions. For such

structures over 15 feet in height, the setback shall be increased by one foot for each additional foot of building height over 15 feet, applicable to those portions of the building above 15 feet.

f. Lot Coverage. The maximum lot coverage shall be 40 percent of the net lot area. Upper floor overhangs, for non-occupied space such as walkways, are exempt from the lot coverage calculation provided they have a maximum width of five feet and are not used for any purpose other than circulation. On properties less than or equal to 30,000 square feet in net lot area, new restaurants are prohibited for all existing or new developments that exceed 33 percent lot coverage.

g. Architectural Features. At least 25 percent of the building façade, facing a street or a residential zone, shall be differentiated by recessed windows, offset planes, or other similar architectural details. Long, unbroken façades are prohibited.

h. Deceleration/Acceleration Lane. A dedicated deceleration/acceleration lane shall be provided where a parcel has 600 feet or more of continuous street frontage on a single street. Such lane shall be designed, dedicated, and improved subject to the requirements of the Department of Public Works.

i. Corner Properties.

i. Corner Cut-off. All corner and reverse corner properties shall maintain for safety vision purposes a triangular area, two sides of which shall each be 30 feet in length, measured from the point formed by the intersection of the front and exterior side property lines. The third side of the triangle shall be formed by a straight line connecting the two mentioned points which are distant 30 feet from the intersection of the front and exterior side property lines. Within the area comprising the triangle, no

tree, fence, shrub, nor other physical obstruction higher than forty-two inches above the established grade shall be permitted.

ii. Zero Lot Line. All new buildings and additions shall have a zero setback from the rear and interior side property lines where feasible and where the property lines adjoin commercially zoned properties.

j. Parking for Off-Site Dining Establishments. Notwithstanding, Subsection A.2 of Section 22.52.1110, a new eating establishment selling food for off-site consumption and having no seating or other areas for on-site eating, shall provide parking in the amount required by Subsection A.1 of Section 22.52.1110, and shall be subject to a minimum of 10 automobile parking spaces.

k. Nonconforming Buildings and Structures. Buildings and structures which are not in conformance with the standards as contained in subsection D.2 of this section may be continued subject to the conditions contained in Part 10 of Chapter 22.56.

l. Review Process for Restaurants. New restaurants, consisting of either new construction or intensification of an existing use, where the new floor area of the restaurant use is greater than 2,500 square feet shall be subject to a discretionary director's review as contained in subsection D.2.m of this section.

m. Discretionary Director's Review. Projects as described in subsection D.2.l of this section shall require a discretionary director's review as described below. In addition to the procedures described in Part 12 of Chapter 22.56, the following shall also be required:

i. Application materials. The following application materials shall be submitted by the applicant:

(A) A list, certified by affidavit or statement under penalty of perjury, of the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject property and as owning property within a distance of 500 feet from the exterior boundaries of the subject property;

(B) Two sets of completed mailing labels for the above-stated owners; and

(C) A map drawn to a scale specified by the director indicating where all such ownerships are located.

ii. Application fee. When an application for a discretionary director's review is filed, it shall be accompanied by the filing fee as set forth in Section 22.60.100 of this code, equal to that required for a site plan review for commercial and industrial projects over 20,000 square feet in size and any related environmental review fee as set forth in Section 12.04.020 of Title 12.

iii. Notification that an application has been filed. Notwithstanding the requirements of Section 22.56.1730, the director shall send notice of a request for a discretionary director's review site plan to all persons shown on the list required by subsection D.2.m.i(A) and such other persons whose property might in the director's judgment be affected by such project, including but not limited to homeowners associations and civic organizations. The notice shall describe the project and inform

the recipient that written comments for consideration may be submitted to the director within 15 days of receipt of the notice by the applicant.

iv. Director's decision. The director, in acting upon any application as provided in this subsection, shall approve, approve with conditions, or deny the proposed use as requested in the application and as indicated in the required site plan based on the principles and standards described in Section 22.56.1690.B. Conditions may be imposed for purposes of mitigating impacts relating to avoidance of traffic congestion, prevention of adverse effects on neighboring properties, or other such considerations. In addition, the discretionary director's review shall be subject to the provisions of the California Environmental Quality Act, Public Resources Code Division 13, and shall undergo an environmental review.

v. Notification of decision. Notwithstanding the requirements of Section 22.56.1730, the director shall notify the applicant, persons who submitted written comments, and other persons requesting notification, including but not limited to homeowners associations and civic organizations, of the decision made by the director on the application, by first class mail, postage prepaid, or other means deemed appropriate by the director.

vi. Calls for review. Decisions of the director on discretionary director's review applications may be called up for review by the commission according to the calls for review provisions of Sections 22.60.220, 22.60.230, 22.60.240, and 22.60.260. Decisions of the commission on discretionary director's review applications may be called up for review by the board of supervisors according to the calls for review provisions of Sections 22.60.220, 22.60.230, 22.60.240, 22.60.250, and 22.60.260.

vii. Rights of appeal. Notwithstanding the requirements of Section 22.56.1750, any person dissatisfied with the action of the director may file an appeal from such action. Such appeal shall be filed with the commission within 15 days following notification of receipt of the notice of decision by the applicant. Any person dissatisfied with the action of the commission may file an appeal from such action. Such appeal shall be filed with the board of supervisors within eight days following notification of receipt of the notice of decision by the applicant. The appeal filing requirements, procedures, and effective dates shall be in accordance with the provisions of Sections 22.60.220, 22.60.230, 22.60.240, 22.60.250, and 22.60.260.

viii. Effective Dates.

(A) Notwithstanding the requirements of Section 22.56.1750, the decision of the director shall become effective 15 days after receipt of the notice of decision by the applicant, unless appealed or called up for review by the commission prior to that date.

(B) The decision of the commission shall become effective eight days after receipt of the notice by the applicant, unless called up for review by or appealed to the board of supervisors prior to that date.

(C) The decision of the board of supervisors shall become effective on the date of the board's action. A notice of decision shall be sent pursuant to subsection D.2.m.v of this section.

3. Zone C-2.

a. The standards, review and permit provisions prescribed for Zone C-1, as contained in subsection D.2, shall apply to Zone C-2 with the exception of the sign area of freestanding business signs as specified in subsection D.2.b.a.iii(C).

b. Freestanding Signs. The total sign area of a new freestanding sign shall not exceed 80 square feet per sign face plus three-fourth square foot of sign area for each one foot of street or highway frontage in excess of 100 feet.

~~c. Where a parking lot containing more than 20 parking spaces exists or is proposed, at least 5 percent of the gross area of the parking lot shall be landscaped. Landscaping shall be distributed throughout the parking lot to maximize the aesthetic effect and compatibility with adjoining uses. Where appropriate, all areas of the parking lot not used for vehicle parking or maneuvering or for pedestrian movement or activity shall be landscaped. This subsection shall not apply to a parking lot within or on the roof of a building.~~

~~d. The minimum required setback for new structures or additions shall be ten feet from the property line(s) along those portions of the property where there is street frontage. The ten feet of the setback area closest to the street shall be landscaped in accordance with an approved site plan.~~

~~e. A minimum setback of three feet from any property line adjoining a residential zone is required for new structures or additions. For such structures over 15 feet in height, the setback shall be increased by one foot for each additional foot of building height over 15 feet.~~

4. Zone C-3.

a. The standards, review and permit provisions prescribed for Zone C-2, as contained in subsection D.3, shall apply to Zone C-3.

b. Building Height. A building or structure shall not exceed a height of 45 feet above grade, excluding chimneys and rooftop antennas.

c. Building Stories. For properties fronting on Colima Road, new buildings located within 300 feet of Colima Road shall contain a maximum of two stories. New buildings may contain three stories or existing buildings may have a third story constructed provided that the buildings are located more than 300 feet from Colima Road and that the third story shall only be occupied by office uses.

5. Zones M-1 and M-1½. For every lot or parcel of land in the zone which is used for a use allowed in Zone C-3, as described in Part 5 of Chapter 22.28, the standards, review and permit provisions prescribed in Zone C-3, as contained in subsection D.4, shall apply.

5.6. Minor Variations.

a. The director may permit minor variations from the following standards specified in subsections:

i. height of freestanding business signs as specified in subsection

D.2.b.ii-a.ii(B);

ii. sign area of freestanding business signs as specified in subsection

D.2.b.iii-a.ii(C);

iii. wall business signs as specified in subsection D.2.c.i-a.iii(A);

iv. awning signs as specified in subsection D.2.d-a.iv;

v. freestanding business signs as specified in subsection D.3.b.i and

vi. parking lot landscaping, as it applies to existing parking lots as of the effective date of this subsection, as specified in subsection D.32.cb.

~~of this section where an applicant's request for a minor variation demonstrates to the satisfaction of the director all of the following:~~

~~i. b. Burden of Proof. To be granted a minor variation, the applicant shall show, to the satisfaction of the director of planning:~~

~~i. that ~~the~~ the application of these standards would result in practical difficulties or unnecessary hardships inconsistent with the goals of the Rowland Heights Community Plan;~~

~~ii. that ~~there~~ there are exceptional circumstances or conditions applicable to the subject property or to the intended development of the property that do not generally apply to other properties within the District; and~~

~~iii. that ~~G~~granting the requested minor variation will not be materially detrimental to properties or improvements in the area or contrary to the goals of the Rowland Heights Community Plan.~~

~~b. c. Procedure. The procedure for filing a request for a minor variation shall be the same as for a yard modification as provided in Section 22.48.180.~~

~~e. i. All property owners within ~~400~~ 200 feet of the subject property shall be notified in writing of the requested minor variation not less than 20 days prior to the date the director takes action on the request.~~

~~d. A minor variation shall not deviate more than 25 percent from the applicable development standards identified in subsection D.56.a.~~

7. Variance required. Modification of standards contained in subsections D.2.c through D.2.j, D.4, and D.5 of this section shall require a variance, as provided in Part 2 of Chapter 22.56.

68. Recreational Vehicle Parking -- Residential and Agricultural Zones.

a. Definition. As used in this subsection D-~~68~~, "recreational vehicle" means a camper, camp trailer, travel trailer, house car, motor home, trailer bus, trailer coach or similar vehicle, with or without motive power, designed for human habitation for recreational or emergency occupancy. A recreational vehicle includes a boat, other watercraft, snowmobile, off-road vehicle that cannot legally be driven on public streets, and other similar types of vehicles. A trailer, whether open or enclosed, used to carry or tow property such as animals, boats or other watercraft, snowmobiles, off-road vehicles, racecars or other similar vehicles is also a recreational vehicle. Where a recreational vehicle is on or attached to such a trailer, they shall together be considered one recreational vehicle. A recreational vehicle shall not include a pickup truck used for transportation to which a camper shell has been attached.

b. A recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted on a lot or parcel of land in Zones A-1, A-2, R-1, R-2, R-3, R-4, R-A, and RPD subject to the following restrictions:

i. A recreational vehicle shall not be kept, stored, parked, maintained, or otherwise permitted within five feet of the front lot line or corner side lot line;

ii. No portion of a recreational vehicle exceeding 36 inches in height shall be kept, stored, parked, maintained, or otherwise permitted within 10 feet of the front lot line or corner side lot line;

iii. No more than one recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted in the front yard, corner side yard, or any additional area situated between the corner side yard and the rear lot line;

iv. No recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted in a manner that prevents access to any required covered parking on the same lot or parcel of land;

v. A recreational vehicle may be kept, stored, parked, maintained, or otherwise permitted only on premises owned or occupied by the owner of the vehicle;

vi. No disabled or otherwise nonfunctional recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted in the front yard or corner side yard;

vii. A recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted so as to maintain unobstructed line-of-sight for pedestrians and motorists using the public right-of-way; and

viii. A recreational vehicle shall be kept, stored, parked, maintained, or otherwise permitted so as not to constitute a health or safety hazard.

c. A yard modification may be filed with the director pursuant to Section 22.48.180 to authorize the parking or storing of a recreational vehicle within 10 feet of the front lot line or corner side lot line; provided, however, that under no circumstances shall a recreational vehicle be parked closer than five feet from the front or corner side lot lines. An application for a yard modification under this subsection shall be supported by evidence substantiating that the requested modification is necessary due to topographic features or other conditions in that compliance with the 10-foot setback line

would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line. The director may approve a yard modification if the director finds that parking or storing a recreational vehicle at the proposed location will not compromise pedestrian or motorist line-of-sight or other applicable safety standards as determined by the director, and that the applicant has substantiated to the satisfaction of the director that, due to topographic features or other conditions, compliance with the 10-foot setback line would create an unnecessary hardship or unreasonable regulation or where it is obviously impractical to require compliance with the setback line.

E. Area-specific Development Standards (Reserved).

F. Public Information. A report or reports listing permit and plot plan applications received by the department of regional planning shall be generated and distributed to any community group that requests such a report, and to other such groups or persons who might, in the director's judgment, be appropriate to receive the report(s). The report(s) shall list types of permit/approval applications received, a brief project description, the name of the property owner or applicant, and the address of the proposed project. Copies of the report shall be periodically provided to the aforementioned community groups and individuals in a manner and frequency determined by the director, and arranged for in advance with the community group or individual receiving the report. The department shall provide the report(s) on a monthly basis.

SECTION 2. Upon the effective date of this ordinance, Interim Ordinance No. 2003-0025U, as amended by Interim Ordinance Nos. 2003-0035U and 2004-0021U, shall terminate and shall be of no further force and effect.